UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
--x
                                         :

JIMENEZ, *individually and on behalf of all others similarly situated*,

                         Plaintiff,

                      v.

ARTSANA USA, INC.,

                        Defendant.

No. 21-cv-7933

**DECLARATION OF STEVEN WEISBROT, ESQ.
REGARDING ONGOING FRAUD DETECTION EFFORTS**

I, Steven Weisbrot, Esq., declare under penalty of perjury as follows:

1.   I am the President and Chief Executive Officer at the class action notice and settlement administration firm Angeion Group, LLC ("Angeion"). I am fully familiar with the facts contained herein based upon my personal knowledge.

2.   My full credentials were provided to this Court, as outlined in my previously filed Declaration ("Notice Plan Declaration") (Dkt. No. 42-1, Exh. H).

3.   Angeion's anti-fraud efforts were previously discussed pertaining to analyses performed on preliminarily valid products claimed (*see* Dkt. Nos. 60 and 82). The purpose of this Declaration is to provide the Parties and the Court with an update regarding the ongoing fraud detection efforts that are being undertaken by Angeion.

FRAUD DETECTION EFFORTS

4.   On October 3, 2023, Angeion announced the launch of its real-time fraud detection system, AngeionAffirm, which is the first and only comprehensive solution to identify fraud in real time based on both state-of-the-art technology and analysis of over a decade of historical claims data.[1] AngeionAffirm was developed to combat the rising tide of fraudulent claims in class action settlements and the increasingly sophisticated technologies and techniques used by fraudulent actors in their attempt to perpetuate fraud. [2]

5.   Key highlights of AngeionAffirm include: (1) The implementation of enhanced, machine learning based fraud prevention mechanisms on all Web Application Firewalls focused on detecting and blocking fraudulent activities even before they infiltrate the system; (2) Employing advanced artificial intelligence to identify bot and scripted browser traffic; (3) Performing proprietary behavioral analysis techniques to identify abnormal patterns that could indicate fraudulent submissions, to help ensure that claims are genuine and justifiable; (4) Analyzing a broad array of technical characteristics garnered from claimant email addresses and other digital

---

[1] https://www.prnewswire.com/news-releases/angeion-group-introduces-first-of-its-kind-real-time-fraud-detection-system-301946263.html?tc=eml_cleartime

[2] https://www.law.com/newyorklawjournal/2023/07/26/the-increasing-danger-of-fraudulent-claims-in-class-action-settlements/

fingerprints to determine a claim's propensity for fraud; (5) Deploying a dynamic IP monitoring system to identify and flag suspicious activities across all case engagements; (6) Analysis of over one hundred million claims, which has proven instrumental in identifying characteristics, anomalies, and known bad actors, that may signify fraudulent intent, thus ensuring only bona fide claims are approved; and (7) Utilization of multiple security measures to address the increasing scale and sophistication of cyber criminals' adaptive behavior.

6.   AngeionAffirm has been implemented to detect fraudulent claim submissions in this Settlement as part of the ongoing, comprehensive anti-fraud efforts. In Angeion's experience, there is typically an increase in claims filing near the deadline to submit Claim Forms. Angeion's fraud detection will continue through that Claims submission deadline and completion of the claims administration process.

REJECTION PROCESS

7.   Pursuant to the Settlement Administrator Protocol ("Protocol") (Dkt. No. 42-1, Exh. F), the Settlement Administrator may reject a Settlement Class Member's Claim Form that appears to be fraudulent.[3]

8.   The Protocol further states that claimants whose Claim Form has been rejected, in whole or in part, may contest such rejection by transmitting to the Settlement Administrator by email or U.S. mail a notice and statement of reasons indicating the Claimant's grounds for contesting the rejection, along with any supporting documentation, and requesting further review by the Settlement Administrator, in consultation with Class Counsel and Defense Counsel, of the denial

---

[3] Section 3.b. of the Protocol states: Where a good faith basis exists, the Settlement Administrator may reject a Settlement Class Member's Claim Form for, among other reasons, the following: (i) The Class Member purchased products that are not Eligible Products or otherwise covered by the terms of the Agreement; (ii) Failure to fully complete and/or sign the Claim Form; (iii) Illegible Claim Form; (iv) The product(s) purchased by the Class Member is (are) not reasonably identifiable as an Eligible Product from the proof of purchase or other information submitted by the Class Member, as required by Paragraphs 46 and 47 of the Agreement; (v) The Claim Form appears to be fraudulent; (vi) The Claim Form appears to be duplicative of another Claim Form; (vii) The person submitting the Claim Form is not a Class Member; (viii) The person submitting the Claim Form requests that payment be made to a person or entity other than the Class Member for whom the Claim Form is submitted; (ix) Failure to submit a Claim Form by the Bar Date (either by electronic submission or postmark); and/or (x) The Claim Form otherwise does not meet the requirements of the Agreement.

of the claim.

9.   This provision provides protection and recourse for Settlement Class Members who may submit a legitimate claim that has indicia of fraud.

10.   Once the claims administration process is completed and the decision has been finally made regarding the claims to be paid, Angeion will send paper checks to the postal address listed by the Class Members on their claim forms.

CONCLUSION

11.   Angeion will continue to keep the parties apprised of the number of Claim Form submissions received through the Claim Form deadline[4], as well as updates on claims processing, including ongoing fraud analysis review efforts of all claims.

I hereby declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: October 16, 2023

_____
STEVEN WEISBROT

---

[4] It has been Angeion's experience that there are typically higher volumes of claim form submissions at the beginning of the claims period, as well as near the claim form deadline.